

Appendix A: Public Participation

MEETING MINUTES and NOTICES

October 29, 2001 City Council / Planning Commission Workshop

December 12, 2001 City Council / Planning Commission Workshop

June 27, 2006 Planning Commission Public Hearing

July 11, 2006 Planning Commission Public Hearing

July 19, 2006 City Council Public Hearing

**CITY OF MORGAN HILL
SPECIAL CITY COUNCIL MEETING AND
PLANNING COMMISSION MEETING
MINUTES - OCTOBER 29, 2001**

CALL TO ORDER

Mayor Kennedy called the special meeting to order at 7:00 p.m.

ROLL CALL ATTENDANCE

City Council

Present: Council Members Carr, Chang, Sellers, Tate, and Mayor Kennedy

Planning Commission

Present: Commissioners Acevedo, Benich, Lyle, McMahon, Mueller, Sullivan, and Weston

Housing Element Task Force Members: Shanna Boigon, Jeff Perkins, and a representative of South County Housing.

Staff present: City Manager Tewes, City Attorney Leichter, City Clerk Torrez, Director of Business Assistance and Housing Services Toy, Director of Community Development Bischoff

DECLARATION OF POSTING OF AGENDA

City Clerk Torrez certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

At the invitation of Mayor Kennedy, City Clerk Torrez led the Pledge of Allegiance.

WORKSHOP:

1) HOUSING ELEMENT WORKSHOP

Director of Community Development Bischoff, introduced Jeff Goldman, Principal Planner of Parsons, Harland, Bartholomew and Associates, consultants for the Housing Element update. He reminded those present that this is the first of two meetings planned for the update, the next being scheduled for December 12. During this phase of the update, the Task Force is charged with looking at past achievements, where the City is now, and whether or not there is a need to pursue further gains for the present. He distributed materials to be referenced during the meeting.

Mr. Goldman presented the staff report in four components:

1) Review of State Requirements for Housing Element Update

This being the 2001 Housing Element Update, an overview of legislation dealing with the issues which are responsible for change since the last update were noted by summation.

The requirement for update(s) became law 20 years ago with a legislative decision that all residents of the State of California, regardless of income, are entitled to a safe, secure, properly constructed dwelling. It is mandated that every four years the Housing Element be updated, with input from local government and the general public.

2) Review of Housing Element Update Process

There are four requirements of the review:

- a) Identification and inventory of housing needs, with emphasis in specific categories (e.g., seniors, farm workers, single heads of household, etc.)
- b) Each City and County is to evaluate what has been done; assess whether to continue, modify, increase effectiveness, add or delete factors in the existing housing elements.
- c) Define the goals and policies of the programs anticipated
- d) Develop a five-year schedule of quantified objectives in the presence of existing affordable housing and project reasonable methods for meeting the goals set by governmental agencies.

3) Review of findings Regarding Current and Future Housing Needs

Advance a five-year schedule of quantifiable intentions in the presence of actual affordable housing, and calculate credible methods for addressing the goals set by governmental agencies.

4) Review of ABAG Fair Share Allocation and Projection of City Housing Production

With the assignment of arbitrary numbers of housing need projections for the City, the abilities of the Council and Commission to identify and quantify zoning areas for increased affordable housing is paramount.

Mr. Goldman provided an overview of the Housing Element (HE) update relating to the fact that the California Housing and Community Development Department (HCD) must review the HE before adoption by the City Council. Further, the local Council must consider the comments of HCD. HCD must include in the comments provided: the appropriateness of the current element, whether it retains validity, is in compliance, and is "on track" as a basis for the new HE. He cautioned that the report completed by HCD carries considerable weight in the judicial arena, although anyone can challenge the HE. In many cases, it is possible to use the HCD report to the advantage of the complaint; conversely, the City may use the report for benefit.

Mr. Goldman said that there are two separate issues dealing with future planning for HEs: 1) The *regulations* imposed by the Association of Bay area Governments (ABAG) on local entities in the form of projected housing needs, and 2) the *number* of housing units (to be incorporated into the plan for meeting 'identified' needs) assigned to each of the local entities - both Cities and Counties. He

stated that ABAG has said that since the City is not a builder per se, the only obligation is to show the method, e.g., zoning, for getting the allocations in place.

Because of fiscal constraints, there was a four-year hiatus to the legislation for HE updates, there was discussion regarding whether the current figures listed in the draft report presented might have been increased. The consultant indicated this to be unlikely as the numbers of housing units to be increased as assigned to each entity are totaled at the State level with assignment to regions. Mr. Goldman noted that ABAG has the obligation of figuring out how to allocate the numbers. ABAG's regulations cover a 7½ year period: January 1, 1999 to June 30, 2006, during which time the numbers of housing units projected as increase for each of the local governments affected must be addressed.

The timing of completion of the HE update was discussed. The issue was raised that there appears to be a need for urgency in delivery of the completed document. Mr. Goldman and Mr. Bischoff stated the importance of delivering a reliable draft document, both expressing the opinion that this will be accomplished. Such action will show a good faith effort and that it will most likely suffice for continuation of the effort without penalty.

As to ways to display efforts for having a HE which is in compliance with the required projected numbers of housing need with the restraints of Measure P, discussion ensued regarding:

- ▶ Mobile Home Parks
- ▶ Second (2nd) Unit Housing
- ▶ Density concerns
- ▶ The (continued) viability of Measure P
- ▶ The need to address significant differences of housing availability not explained by income
- ▶ How the City leaders can demonstrate reasonable accommodation (not construction) of increased density
- ▶ The perceived "gap" of housing available for moderate income level families
The fact that the area-wide economy has no bearing on the accommodations as listed by ABAG
- ▶ The observed need to have an oscillation to Measure P, so that the City leaders can retain control while meeting the demands of the State and Regional governments
- ▶ The burden caused by the past need to use future allocations under Measure P to ensure orderly completeness of development
- ▶ The fact that City financing had been part of an effort to meet the local needs which might be turned to detriment in future housing need(s) planning
- ▶ Local building code requirements versus the ambiguity of State regulations
- ▶ Effect on the downtown area of the City in light of the numbers projected by ABAG, those numbers being set and unchangeable
- ▶ The hurdles involved in updating Measure P to reflect the needs presented by the issues applied by the HE update

Task Force members requested the consultant revisit a variety of issues: specified tables in the draft report, age groupings, a proposal for more innovative alternatives for low income housing, and methods for encouraging residents to remain in the community following retirement. Mr. Goldman

indicated willingness to do so.

Council Member Carr, who chairs the HE Update Task Force, thanked all who attended and urged creative thinking to provide input into the HE update, stating that it was important to think of alternatives to Measure P given to the City by the voters. He also reminded all present of the need to give attention to following the schedule for completion.

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

No items were noted.

ADJOURNMENT

Adding his thanks to participants, Mayor Kennedy adjourned the meeting at 9:00 p.m.

MINUTES RECORDED AND PREPARED BY:

/s/ Judi Johnson
Judi Johnson, Minutes Clerk

Approved as Written: 1/9/02

**CITY OF MORGAN HILL
JOINT SPECIAL CITY COUNCIL, SPECIAL REDEVELOPMENT AGENCY,
SPECIAL PLANNING COMMISSION AND
SPECIAL HOUSING ELEMENT TASK FORCE MEETING
MINUTES - DECEMBER 12, 2001**

CALL TO ORDER

Mayor/Chairperson Kennedy called the special meeting to order at 6:34 p.m.

ROLL CALL ATTENDANCE

City Council/Redevelopment Agency .

Present: Council/Agency Member Carr, Chang, Sellers, Tate and Mayor/Chairman Kennedy

Planning Commission

Present: Commissioners Acevedo, Benich, Lyle, McMahon, Mueller, Sullivan

Absent: Commissioner Weston

Housing Element Task Force

Present: Task Force Members Boignan, Carr, DeSilva, Mueller, Perkins, Schilling (who arrived at 7:19 p.m.)

Absent: Task Force Members Gerlach, Lalor, Weston

DECLARATION OF POSTING OF AGENDA

City Clerk/Agency Secretary Torrez certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2.

City Council Action

CLOSED SESSIONS:

City Attorney/Agency Counsel Leichter announced the below listed closed session items:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure/Initiation of Litigation

Authority: Government Code Section 54956.9(b) & (c)

Number of Potential Cases: 2

PLEDGE OF ALLEGIANCE

At the invitation of Mayor/Chairman Kennedy, Planning Commission Chair Barbara Sullivan led the Pledge of Allegiance.

INTRODUCTIONS

City Manager Tewes introduced newly hired Police Chief Jerry Galvin.

PUBLIC COMMENT

Mayor/Chairman Kennedy opened the floor to comments for items not appearing on this evening's agenda. No comments were offered.

City Council, Planning Commission and Housing Element Task Force Action

WORKSHOP:

1. HOUSING ELEMENT WORKSHOP

Community Development Director (CDD) Bischoff presented the staff report, reminding that the last meeting of the Housing Element Task Force with the City Council and Planning Commission had been in October. At that time, several issues of concern had been identified, with Staff and the Consultant being directed to look into those matters.

CDD Bischoff reported that the direction provided at that meeting had been seriously considered; furthermore, he indicated that because of the concerns raised and the issues associated with Measure P - the Growth Control ordinance established by voters in Morgan Hill - the City had initiated contact with representatives from Housing and Community Development (HCD) who subsequently visited the City for a tour of the potential areas for designation as possibly being zoned for development as required by the State.

Addressing the group, CDD Bischoff called attention to the Summary of Proposed Modifications/Morgan Hill Housing Element which presented a summary of significant modifications proposed to policies and programs in the current General Plan Housing Element. The modifications presented detailed the goals, policies, and actions which would be included in the Draft Housing Element submitted to HCD for their remarks and recommendations.

Members of the City Council, Planning Commission and Housing Element Task Force

discussed the items presented by CDD Bischoff and Jeff Goldman, Principal Planner of Parsons, Hartland, Bartholomew and Associates, making changes following the discussion and concerns raised by the presentation of Table 29 (a major focus) of the initial Draft General Plan Housing Element. As the members of the group continued talk regarding the needs indicated by HCD, Planning Commissioner Lyle was prominent in presenting the number of actual buildings and projections for upcoming allocations as authorized under Measure P. Several sets of scenarios were presented with questions being answered by CDD Bischoff and Mr. Goldman. It was repeatedly mentioned that the numbers of housing unit allocations in the City's ABAG-assigned regional allocation for each income group is difficult to achieve. Mr. Goldman reminded that state law is clear: Each jurisdiction must be able to show the ability to reach the levels mandated in each category.

Considerable discussion emanated regarding the need to have Measure P revisited by the voters of the City.

Director of Business Assistance and Housing Services Toy provided information on the history of publically-funded housing since 1990 to the present. It was highly suggested that if possible, Mr. Toy present the information, as vividly as he had done during this meeting, to HCD officials.

At the invitation of Mayor Kennedy, Anne Crealock, 1922 The Alameda, San Jose, who was in attendance to represent the Greenbelt Alliance, addressed the group. She presented a letter to the members present from Janet Stone, Livable Communities Program Director. Ms. Crealock complimented the group on the many positive comments indicated in the Housing Element, expressing the need for farm worker housing within the City to be given a priority.

Mr. Goldman again stressed the need for clear, definite, positive language in the document to be submitted to HCD. The points indicated in the Summary of Proposed Modifications/Morgan Hill Housing Element were reiterated and **agreed by consensus as to the wording of the various goals, policies, and actions discussed and agreed to during the course of the meeting**. CDD Bischoff noted that the Housing element must be submitted to HCD by January 1, 2002. He and Mr. Goldman were charged with amending the language as the group had agreed before the submittal is completed.

ADJOURNMENT (PLANNING COMMISSION AND HOUSING TASK FORCE)

The joint meeting of the City Council, Planning Commission and Housing Task Force was concluded at 9:20 p.m. with adjournment, while comments by Planning Commission Chair Sullivan, Mayor Kennedy, and Housing Element Task Force Chair indicated that the stated actions of the meeting had been accomplished:

- 1) To review and evaluate the effectiveness of the City's existing housing programs in meeting the goals, policies, and quantified objectives of the City's current housing element;
- 2) To review proposed modifications to the current goals, policies and quantified objectives of the housing element so as to better address the City's future housing needs; and
- 3) To reach consensus regarding necessary modifications to the proposed goals, policies and actions for the draft element.

City Council and Redevelopment Agency Action

OTHER BUSINESS:

2. SELECTION OF CITY COUNCIL MAYOR PRO TEMPORE AND REDEVELOPMENT AGENCY VICE-CHAIR

Council Services and Records Manager Torrez presented the staff report.

Council Member Sellers said that, having thought through the process, he was of the opinion that there was a need to determine who should run the meetings. Therefore, it was his belief that the Mayor Pro Tempore and the Vice-Chair of the RDA should be the same person. Discussion followed regarding the merits of this suggestion.

City Council

Action: Council Member Tate/Mayor Pro Tempore Sellers **Nominated** Council Member Carr to serve as the next Mayor Pro Tempore to the City Council.

Action: On a motion by Council Member Tate and seconded by Mayor Pro Tempore Sellers, the City Council unanimously (5-0) **Confirmed** the Mayor's appointment of Council Member Carr to serve as the next Mayor Pro Tempore to the City Council.

Redevelopment Agency:

Action: Agency Member Tate/Mayor Kennedy **Nominated** Agency Member Chang to serve as the next Vice-chair to the Redevelopment Agency.

Action: On a motion by Agency Member Tate and seconded by Chairman Kennedy, the Agency Commission unanimously (5-0) **Confirmed** the Chairman's